

**MINUTES OF THE
GOVERNMENT OPERATIONS INTERIM COMMITTEE**
Wednesday, September 21, 2016 – 1:15 p.m. – Room 20 House Building

Members Present:

Sen. Margaret Dayton, Senate Chair
Rep. Jack R. Draxler, House Chair
Sen. Daniel Hemmert
Sen. Lyle W. Hillyard
Sen. Jani Iwamoto
Sen. Scott K. Jenkins
Rep. Patrice M. Arent
Rep. Fred C. Cox
Rep. Brad M. Daw
Rep. Sophia M. DiCaro
Rep. Brian M. Greene
Rep. Brian S. King

Rep. Curtis Oda
Rep. Lee B. Perry
Rep. Jeremy A. Peterson
Rep. Dean Sanpei

Members Absent:

Rep. Merrill F. Nelson

Staff Present:

Mr. Brian J. Bean, Policy Analyst
Mr. Thomas R. Vaughn, Associate General Counsel
Ms. Katie LeFevre, Legislative Assistant

Note: A list of others present, a copy of related materials, and an audio recording of the meeting can be found at www.leg.utah.gov.

1. Committee Business

Chair Draxler called the meeting to order at 1:30 p.m. Rep. Nelson was excused from the meeting.

Motion: Sen. Dayton moved to approve the minutes of the July 13, 2016, meeting. The motion passed unanimously with Rep. Daw, Rep. King, and Rep. Oda absent for the vote.

2. Legislative Audit: Utah Communications Authority

Chair Draxler explained to the committee that the Audit Subcommittee assigned the Government Operations Interim Committee as the lead committee to review "UCA Improving Controls After Fraud Discovered" (ILR 2016-F).

Ms. Leah Blevins, Audit Supervisor, Office of the Legislative Auditor General, presented "UCA Improving Controls After Fraud Discovered Presentation" with the assistance of Mr. Kade Minchey, Audit Manager, Office of the Legislative Auditor General. Ms. Blevins responded to questions from the committee.

Ms. Tina Mathieu, Chair, Utah Communications Authority Board, addressed concerns identified by the committee. She outlined actions the Utah Communications Authority has taken to follow recommendations provided in a separate audit by the Office of the Utah State Auditor.

Mr. John Dougall, State Auditor, explained the components of financial audits. He responded to questions from the committee.

3. Purchase and Sale of State Land

Mr. Mike Styler, Executive Director, Utah Department of Natural Resources, distributed "Department of Natural Resources, Rules Implemented to Comply with H.B. 354." He explained that the Division of Wildlife Resources, the Division of State Parks, and the Division of Forestry, Fire, and State Lands own

property. He explained how the divisions are in compliance with state laws regarding the purchase and sale of state lands. He responded to questions from the committee.

Mr. Lyle McMillan, Director of Right of Way, Utah Department of Transportation, discussed the implementation of 2008 General Session H.B. 354, "Appraisals for State Land Purchase." He addressed eminent domain issues and responded to questions from the committee.

Ms. Linda Hull, Policy and Legislative Services Director, Utah Department of Transportation, responded to questions from the committee.

Mr. Kim Christy, Deputy Director, School and Institutional Trust Lands Administration, distributed "Compliance with 53C-4-103." He explained the process for appraising and selling land in compliance with state statute.

Mr. Lee Fairborn, Real Estate Manager, Division of Facilities Construction and Management, explained that the Division of Facilities Construction and Management follows state appraisal requirements for the purchase and sale of state lands.

4. State Facilities Energy Efficiency Fund

Ms. Bianca Shama, Energy Director, Division of Facilities Construction and Management, explained the background and purpose of the State Facilities Energy Efficiency Fund. She discussed the annual savings from energy efficiency measures implemented using loan money from the fund.

5. Postmark Deadlines

Mr. Vaughn discussed the background of ballot postmark deadlines for elections in Utah and the current ballot postmark policy.

Mr. Bean presented "Vote-by-Mail Deadlines in the 50 States." He informed the committee of the various postmark policies used in different states. He responded to questions from the committee.

Ms. Sheila Williams, Clerk/Treasurer, Daggett County, discussed Daggett County's experience with postmark deadlines. She responded to questions from the committee.

Mr. Darrel Stoke, District Manager, United States Postal Service, presented "Election Mail Postal Updates" and distributed "Vote Early" and "Military Service Members." He discussed the United States Postal Service's postmark processes and role in elections conducted by mail. He responded to questions from the committee.

The committee received public comment.

Commencing public comment, Sen. Dayton shared a voicemail recording from Ms. April Dobson, Salt Lake resident, who expressed that voters need to take personal responsibility to submit mail-in ballots in a timely manner.

Ms. Rozan Mitchell, Elections Director, Salt Lake County, explained that Salt Lake County has worked closely with the United States Postal Service. She discussed several aspects of by-mail elections as administered in Salt Lake County, including postmark deadlines and ballot drop boxes. She responded to question from the committee.

Mr. Ryan Cowley, Elections Director, Weber County, outlined Utah's procedure for elections conducted by mail. He responded to question from the committee.

Mr. Mark Thomas, Director of Elections, Office of the Lieutenant Governor, explained the importance of educating voters and discussed voter turnout trends in elections conducted by mail. He responded to questions from the committee.

The committee discussed postmark deadlines and whether to budget additional time to discuss the issue in the future.

MOTION: Rep. Arent moved to open a committee bill file to require a county that conducts an election entirely by mail to create ballot drop boxes in which a voter may deposit the voter's ballot for collection by the county clerk. The motion passed with Sen. Dayton voting in opposition. Sen. Hillyard and Rep. Perry were absent for the vote.

6. Draft Legislation: "Disposition of Ballot Amendments"

This item was not addressed.

7. Discussion on Plurality

The committee discussed whether more time should be budgeted to address the issue of a candidate being elected by a plurality rather than a majority of voters. Committee members offered their preferences. Chair Draxler announced that the chairs will take the responses into consideration.

8. Other Items/Adjourn

MOTION: Rep. Daw moved to adjourn the meeting. The motion passed unanimously with Sen. Hillyard and Rep. Perry absent for the vote.